

IN THE HIGH COURT OF KERALA AT ERNAKULAM
PRESENT :

THE HONOURABLE MR. JUSTICE KURIAN JOSEPH
&
THE HONOURABLE MR. JUSTICE T.R.RAMACHANDRAN NAIR

WEDNESDAY, THE 6TH JUNE 2007 / 16TH JYAISHTA 1929

AS.No. 69 of 2001(B)

OS.193/1997 of PRINCIPAL SUB COURT, NORTH PARAVUR
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APPELLANT:

1. K.J.FRANCIS, S/O.KAIMATHURUTHY JOSEPH, RESIDING AT
THURUTHOOR KARA, PUTHENVELIKARA VILLAGE.(DIED)

LEGAL HEIR OF FIRST APPELLANT IMPLEADED:-
2.HAESTIN HESS, S/O.LATE K.J.FRANCIS, -DO-
(AS PER ORDER DT. 6.6.2007 IN I.A.438/06)

BY ADV. SRI.V.CHITAMBARESH
SRI.KRISHNA PRASAD. S

RESPONDENTS:

1.K.V.THOMAS, S/O.KAIMATHURUTHY CHEEKU, RESIDING AT
PUTHENVELIKKARA KARA, PUTHENVELIKARA VILLAGE.

2.PRINCHEN, S/O.E.C.C.JOOSA, RESIDING AT
EARAMULLIL VEETIL, PUTHENVELIKKARA VILLAGE,

3.K.V.ANTONY @ CHINNAPPAN, S/O.VARKEY RESIDING AT
KOOTTALA, PUTHENVELIKKARA VILLAGE.

4.K.J.JAIKER, S/O.JOSEPH, RESIDING AT THRUTHOOR KARA,
PUTHENVELIKKARA VILLAGE.

5.MARY FRANCIS, W/O.FRANCIS, RESIDING AT THRUTHOOR KARA,
PUTHENVELIKKARA VILLAGE.

ADDL.R6 IMPLEADED :

6.RONEY ROSE, D/O.LATE K.J.FRANCIS, RESIDING AT
KATTUPARAMBIL HOUSE, THATTAMPADI, KARUMANOOR P.O.
ALUVA 683 511. (AS PER ORDER DT. 6.6.07 IN I.A.438/06).

BY ADV. SRI.P.V.AUGUSTINE
SRI.P.V.AUGUSTINE
SRI.BOBY AUGUSTINE
SRI.P.N.RAMAKRISHNAN NAIR
SRI.P.VISWANATHAN

THIS APPEAL SUITS HAVING BEEN FINALLY HEARD
ON 06/06/2007, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:

KURIAN JOSEPH & T.R.RAMACHANDRAN NAIR, JJ.

A.S. NO. 69 OF 2001

Dated 6th June, 2007.

J U D G M E N T

Kurian Joseph, J.

I.A.1692/07 : This is an application to record compromise arrived at between the parties. The compromise is recorded.

The appeal is disposed of in terms of the compromise as recorded by the above order. The said I.A. will form part of the decree. In view of the settlement thus arrived at between the parties outside the Court, the appellant will be entitled to refund of one half of the court fee already paid.

C.M.P.No.463/01 : Dismissed.

KURIAN JOSEPH, JUDGE.

T.R.RAMACHANDRAN NAIR, JUDGE.

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**KURIAN JOSEPH &
T.R.RAMACHANDRAN NAIR, JJ**

A.S. NO. 69 OF 2001

J U D G M E N T

Dated 6th June, 2007.